

Status Report: Programmatic Subcommittee Work on Drainage Maintenance Activities

September 2003 Transportation Permit Efficiency and Accountability Committee

Prepared by: Gregor Myhr, Permit Specialist – WSDOT

Reviewed by: Programmatic Subcommittee

Why are we here today?

We are here to present a status report on the TPEAC Programmatic Subcommittee's effort to develop multi-agency programmatic coverage for drainage maintenance work.

Where are we now?

Currently, the Programmatic Subcommittee is mid-way through developing a multi-agency Unified Conditions document for "Drainage Maintenance" activities which cover the following activities:

- Channel Maintenance
- Fish Passage Barrier Maintenance
- Culvert Maintenance
- Culvert Replacement

Participants in the Programmatic Subcommittee include representatives from Washington Department of Fish and Wildlife, Washington Department of Ecology, Corps of Engineers, Washington Association of Cities and Counties, Yakama Nation and Washington State Parks and Recreation. The Washington Association of Cities and Counties as well as the Yakama Nation have recently begun participation in the subcommittee, this is a positive step in getting all entities who have a legal or regulatory impact involved. Washington Parks and Recreation and Washington Association of Cities and Counties are participating in this effort to benefit from the programmatic coverage that will be developed for similar drainage activities they conduct on their facilities. NOAA Fisheries and USFWS, though invited, have not yet been

Programmatic Subcommittee Workplan:

On June 25th, 2003, the Programmatic Subcommittee provided TPEAC with a work plan to complete programmatic coverage for the following 9 high priority activities by 6/30/03

1. Bridge and Ferry Terminal maintenance activities including painting and washing
2. Bridge deck repair
3. Fish Passage Maintenance
4. Culvert Maintenance
5. Culvert Replacement
6. Ditch/Channel Maintenance
7. Bridge Scour Repair
8. Bank Stabilization
9. Bridge Removal

Programmatic Subcommittee is currently working on items three through six.

participating in this process. The subcommittee has had five meetings since the start of this effort in early August.

The Programmatic Subcommittee is currently drafting the activity descriptions of the four activities to be covered in the Unified Conditions document. Once the activity descriptions are approved the group will establish conditions that apply to the activities. The group has developed a table containing examples of regulatory conditions that apply to these types of activities. The group will draw upon this information to develop the agreed upon conditions. A few of the larger issues the group has been resolving include the following:

- Getting the Activity Specific Conditions Accurate – It is imperative that activity descriptions are specific enough for agencies to determine jurisdiction and permit condition thresholds.
- Threshold for Coverage of Culvert Replacement Activities – Culvert replacement is a complex activity that can exceed normal maintenance and repair thresholds and is often site specific and involves detailed design issues. The subcommittee has identified a threshold for programmatic coverage that would only allow culvert replacement projects that occur in “non-fish bearing” streams. This threshold would only allow programmatic coverage for a somewhat smaller percentage of the total culvert replacement activities that occur throughout the state. Washington State Department of Transportation and Washington State Parks and Recreation were initially seeking programmatic coverage for fish bearing streams. WDFW has provided a formal opinion on August 22nd, indicating that culvert replacement in “fish bearing” streams is not suitable for programmatic coverage.
- SEPA compliance – The subcommittee has agreed that the best method for complying with SEPA is to issue a programmatic SEPA determination that would slightly exceed the standard 50 cubic yard threshold for each project. Currently, we are inquiring of field staff to determine what the adequate threshold should be for their sediment removal projects.
- Local Agency Permit Process – The subcommittee has begun discussions on how to deal with shoreline and critical area permit procedures for these types of activities. The subcommittee will explore potential solutions and provide a more detailed recommendation at a future TPEAC meeting.

Next Steps

- The subcommittee has scheduled meetings through the beginning of October. These are available on the TPEAC web site.
- We anticipate that final activity descriptions will be agreed upon by September 24th and that approved conditions will be incorporated into the final unified conditions document by October 30th.